IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 910 OF 2006

IN

WRIT PETITION NO. 6149 OF 2005

The Secretary to Govt., Home Department and anr. ... Applicants

Versus

Prakash R.Deshmukh ... Respondent.

Mr. N.P. Deshpande, Assistant Government Pleader, for the applicants.
Mr. Y.S. Jahagirdar, Senior Advocate, with Mr. S.M.Sabrad for respondent.

with

CIVIL APPLICATION NO. 911 OF 2006

IN

WRIT PETITION NO. 6149 OF 2005

P.R. Deshmukh ... Applicant

Versus

The Secretary to Govt. and Anr. ...Respondents

Mr. Y.S. Jahagirdar, Senior Advocate, with Mr. S.M.Sabrad for the applicant.
Mr. N.P. Deshpande, Assistant Government Pleader, for the respondent. .

CORAM: **KSHITIJ R. VYAS, C.J.** &
DR. D.Y. CHANDRACHUD, J.

DATE: **MARCH 27, 2006**.

P.C.

The applicants, in Civil Application No. 910 of 2006, have prayed for grant of three months extension from 1-3-2006 to complete the departmental inquiry against the respondent.

2. The learned counsel for the respondent vehemently opposed this application by contending that this Court in its order dated October 3, 2005, has specifically observed that under no circumstances the applicants shall apply for further extension and has specifically directed the applicants to complete the inquiry by 28th February, 2006. The learned Counsel has also submitted that in the event this Court is inclined to grant the extension, the respondent would be reinstated , if the applicants fail to complete the inquiry within the extended time.

3. Having gone through the averments made in the application, we are fully satisfied that the applicants have in fact made out a case for extension. Considering the facts and circumstances of the case and having heard the learned Counsel for the parties about the status of the inquiry, we are of the view that the inquiry can be concluded within two months from today. This is particularly in view of the fact that the

applicants, by this time, have completed recording of the evidence of all the witnesses except two witnesses.

4. In view of the above, we direct the applicants to complete the inquiry finally on or before 31st May, 2006. If for any reason the inquiry is not completed before the extended date, liberty is given to the respondent to apply before this court seeking reinstatement. Civil Application No. 910 of 2006 is accordingly disposed of.

5. In view of the above order, no order is necessary in Civil Application No. 911 of 2006. It is disposed of accordingly.

CHIEF JUSTICE

DR. D.Y. CHANDRACHUD, J.